

May 21, 1981

LB 561, 406, 252

SPEAKER MARVEL: All those in favor of the motion vote aye, opposed vote no. Record the vote.

CLERK: 22 ayes, 18 nays on the motion to reconsider the body's action.

SPEAKER MARVEL: The motion failed.

CLERK: Mr. President, if I may while we are waiting, I have some material to read in. A hearing notice from the Rules Committee, it is signed by Senator Wesely as Chairman.

Mr. President, I have a report from the Retirement Committee regarding gubernatorial appointments to be acted on by the full legislature.

Mr. President, I have a unanimous consent request from Senator Hefner to print amendments to LB 406.

SPEAKER MARVEL: Okay, the next order of business is the LB 252, Senator Warner's motion.

CLERK: Mr. President, Senator Warner would move to direct the Clerk to request the Governor to return LB 252 to the Legislature for further consideration.

SENATOR WARNER: Mr. President, members of the Legislature, I would have made the motion yesterday but I offer it now and I want to indicate two things initially. No one is asking me to do this, it is a position that I have come to on my own. But as I listen to the debate on 252, both on General File and as I recall on Select File, it seemed to be almost unanimous that no matter which side you were on on water diversion that there ought to be some criteria as a policy matter that is used by the appropriate department, the Department of Water Resources to consider any kind of a transfer. But it seemed to me that most of the arguments that were given did not deal with the procedure that should be considered but whether or not water diversion itself was right or wrong. As I thought about the discussion in the bill itself and I begin to look at the bill in that light of only what process does it set up, it seemed to me there were some things that maybe could be improved upon. I have a specific amendment up on the Clerk's desk which does two things, which are relatively minor, but not particularly insignificant, one of which adds to those things that properly should be considered, any court decrees that